

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

**DAVID PULKRABEK, BARBARA
RAINEY, ANDREW SCHWAB, WESLEY
DICKMAN, and WHITNEY DICKMAN,
on their own behalf and on behalf of a class
of similarly situated individuals,**

Plaintiffs,

v.

TOYOTA MOTOR SALES, U.S.A., INC.,

and

**TOYOTA MOTOR NORTH AMERICA,
INC.,**

Defendants.

Civil No. 2:20-cv-00036-JRG-RSP

**PLAINTIFFS' MOTION TO SEAL EXHIBITS 1, 3, AND 5-10 ATTACHED TO THE
SUPPLEMENTAL DECLARATION OF TIMOTHY G. BLOOD**

Pursuant to Local Rule CV-5(7)(C), Plaintiffs David Pulkrabek, Barbara Rainey, Andrew Schwab, Ken Ly, Wesley Dickman, and Whitney Dickman ("Plaintiffs") move for leave to file exhibits 1, 3, and 5-10 attached to the Supplemental Declaration of Timothy G. Blood in Support of Plaintiffs' Motion for Preliminary Approval ("Blood Supp. Decl.") under seal in this matter.

These documents have been previously produced to Objectors in *In Re Toyota RAV4 Hybrid Fuel Tank Litigation*, No. 3:20-cv-00337 (N.D. Cal.) and are subject to a protective order in that case (*In Re Toyota RAV4 Hybrid Fuel Tank Litigation*, Dkt. No. 61). In further support of this motion, Plaintiffs respectfully show the Court as follows:

There is good cause to grant Plaintiffs' motion. Exhibits 1, 3, and 5-10 attached to the Blood Supp. Decl. are confidential Toyota documents disclosed to Plaintiffs in the course of

settlement discussions that Plaintiffs have agreed to maintain as confidential. Although Objectors have received the documents, as noted above, Plaintiffs will provide Objectors with courtesy copies of exhibits 1, 3, and 5-10. A proposed order granting this Motion is attached.

WHEREFORE, for the reasons stated herein, Plaintiffs pray that the Court grant their Motion to Seal as set forth above.

Dated: August 20, 2021

By: /s/ Charles Everingham IV

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 20, 2021, a copy of the foregoing document was electronically filed with the United States District Court, Eastern District of Texas, via the Court's CM/ECF filing system, which will send notification of such filing to counsel of record.

/s/ Charles Everingham IV

Charles Everingham IV

CERTIFICATE OF CONFERENCE

In accordance with Local Rule CV-7(i), I hereby certify that counsel has complied with the meet and confer requirement in Local Rule CV-7(h) with respect to the Defendants, and that the Defendants do not oppose this motion. Plaintiffs have reached out to Objectors to obtain their position on this motion to seal, and Objectors have informed Plaintiffs that they take no position on whether these documents should be sealed.

/s/ Bonner C. Walsh w/ permission Charles
Everingham IV

Bonner C. Walsh